

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 928 of 1996

To

FIRST APPEAL No 942 of 1996

Hon'ble MR.JUSTICE Y.B.BHATT

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

STATE OF GUJARAT

Versus

BHAGVAN DHARMSHI

Appearance:

Mr. M.R. Anand, G.P. with Mr. L.R. Pujari AGP for appellants.

Mr. Gaurang H. Bhatt for respondents

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 12/09/96

COMMON ORAL JUDGEMENT

1. Heard. Appeals admitted. Mr. Gaurang H. Bhatt waives service on behalf of respondents.

2. At the joint request of learned counsel for the respective parties, these appeals are taken up for final hearing today.

3. These appeals have been filed by the State under section 54 of the Land Acquisition Act read with section 96 CPC, challenging the judgement and awards passed by the Reference Court under section 18 of the said Act.

4. It has been the consistent view of this Court including various Division Benches that claims in appeals under section 54 of the said Act upto and about Rs.15,000/- are categorised as petty claims, and the State ought not to prefer appeals from such petty claims, and if preferred, the same can be dismissed on this ground alone.

5. The maximum claim in this group of appeals is Rs.9246/-, whereas the minimum claim is Rs.585/-. In short, therefore, all these appeals have been preferred in respect of petty claims.

6. Even otherwise on the merits of the matter and on total consideration of the evidentiary material on record, I am obliged to agree with the appreciation of such evidence on the part of the Reference Court, and the conclusions drawn therefrom. In short, I am in agreement with the impugned judgement and awards.

7. In the premises aforesaid, there is no substance in these appeals and the same are, therefore, dismissed with no order as to costs.
